

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

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IRON MOUNTAIN INCORPORATED;	)	
IRON MOUNTAIN INFORMATION	)	
MANAGEMENT, INC.; C. RICHARD	)	
REESE; JOHN F. KENNY, JR.; GARRY	)	
B. WATZKE; LARRY L. VARN; and	)	Civil Action
CHARLES G. MOORE,	)	No. 05 10890 RCL
	)	
Plaintiffs,	)	
	)	
v.	)	
	)	
THOMAS CARR,	)	
	)	
Defendants.	)	
	)	
IRON MOUNTAIN INFORMATION	)	
MANAGEMENT, INC.,	)	
	)	
Plaintiff,	)	
v.	)	Civil Action No.
	)	05 10999 RCL (consolidated)
SYSTRANS FREIGHT SYSTEMS, INC.,	)	
	)	
Defendant.	)	
	)	

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**PLAINTIFFS' MOTION IN LIMINE TO PRECLUDE EVIDENCE OF THE ALLEGED  
PROMISES ON WHICH PLAINTIFFS  
HAVE BEEN GRANTED SUMMARY JUDGMENT**

Plaintiffs/Counterclaim-Defendants Iron Mountain Incorporated and Iron Mountain Information Management, Inc. (together, "Iron Mountain"),<sup>1</sup> respectfully move to preclude evidence regarding the alleged promises on which Iron Mountain has been granted summary

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<sup>1</sup> On February 4, 2008, this Court granted a motion for summary judgment filed by Plaintiffs/Counterclaim-Defendants C. Richard Reese, John F. Kenny, Jr, Garry B. Watzke, Larry L. Varn and Charles G. Moore (the "Individuals") and issued a judicial declaration that the Individuals "have no agreements or other legal obligations to [Thomas] Carr...."

judgment. As set forth more fully in the accompanying Memorandum in support hereof, Iron Mountain requests that the Court enter an Order precluding the Defendant/Counterclaim-Plaintiff Thomas Carr (“Carr”) from introducing any evidence or offering any testimony regarding the promises allegedly made to him that are no longer at issue in this case.

WHEREFORE, Iron Mountain respectfully requests that the Court enter an Order:

- i) prohibiting Carr from introducing any evidence or offering any testimony regarding the promises allegedly made to him that are no longer at issue in this case; and
- ii) awarding such other relief as is just and appropriate under the circumstances.

Dated: April 3, 2008

Respectfully submitted,

**IRON MOUNTAIN INCORPORATED  
and  
IRON MOUNTAIN INFORMATION  
MANAGEMENT, INC.,**

By their attorneys,

/s/ Ira K. Gross  
Ira K. Gross (BBO# 212720)  
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Kevin Colmey (Admitted *Pro Hac Vice*)  
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**LOCAL RULE 7.1 CERTIFICATION**

I, Nicholas M. O'Donnell, Esq., certify that on April 2, 2008, as counsel for Iron Mountain Incorporated and Iron Mountain Information Management, Inc., I spoke with Kristen M. Johnson, Esq., counsel for Defendant/Counterclaim-Plaintiff Thomas Carr, in a good faith effort to resolve the subject of the within motion, but the parties were unable to resolve the issue.

/s/ Nicholas M. O'Donnell

**Certificate of Service**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on April 3, 2008.

/s/ Kevin M. Colmey